IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: MOEN-02US

Applicant:

Stephen P. Moenning

Title:

TROCAR-CANNULA COMPLEX, CANNULA AND METHOD FOR DELIVERING FLUIDS DURING MINIMALLY INVASIVE SURGERY

CERTIFICATE OF MAILING BY EXPRESS MAIL - 37 CFR 1.10 'Express Mail' mailing label number: EV354971302US Date of Deposit: February 25, 2004 I certify that this paper or fee (along with the enclosures noted herein) is being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 CFR 1.10 on the above date and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. By: Kenneth Eads (person mailing paper)

UTILITY PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

This is a request for filing, under 37 CFR § 1.53(b), a(n):

- ☐ Original (non-provisional) application.
- □ Divisional of prior application Serial No. __, filed on __.
- ☑ Continuation of prior application Serial No. PCT/US02/29356, filed on September 17,
- Continuation-in-part of prior application Serial No. ___, filed on ___.

For Divisional and Continuation applications ONLY:

- □ Copy of Executed Declaration, Power of Attorney and Petition Form from parent application is enclosed (as noted below in Enclosures).
- ☑ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

For all Divisional, Continuation and Continuation-in-part applications:

- Small Entity Status was requested in the prior application, and small entity status is still proper and desired.
- ☐ This application is assigned to __ by virtue of an earlier assignment filed in the prior application at Reel ___, Frame ___.

PRELIMINARY AMENDMENT/CALCULATION OF FEES

Please cancel claims	without prejudice, and prior to ca	lculating the fees.	total claim(s), of
which is(are) independent	endent, is(are) pending after the am	endment.	

□ Please enter the enclosed preliminary amendment identified below prior to calculating the fees. ___ total claim(s), of which __ is(are) independent, is(are) pending after the amendment.

⊠ Small Entity Status is Requested

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☒ The Fees are Calculated as Follows:

Fee:	Number of Claims:	In Excess of:	Extra:	At Rate:	Amount:	
Total Claims	31	20	11	\$18	\$198.00	
Independent Claims	6	3	3	\$86	\$258.00	
MULTIPLE DEPENDEN	MULTIPLE DEPENDENT CLAIM FEE					
BASIC FEE						
TOTAL OF ABOVE CA	OTAL OF ABOVE CALCULATIONS					
REDUCTION BY 50% F	REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$613.00	
TOTAL					\$613.00	

ENCLOSURES

- ☑ Utility Patent Application Transmittal Form (in duplicate) containing Certificate of Mailing By Express Mail Under 37 CFR 1.10.
- **⊠** Return Postcard.

APPLICATION PAPERS

\boxtimes	Utility Patent Application, with: cover sheet, 27 page(s) specification (including	31_	total
	claim(s), of which $\underline{6}$ is(are) independent, and $\underline{1}$ page(s) abstract).		

\bowtie	Drawings:	6	sheet(s	s) of	formal	drawings	(11)	total	figure(S))

- ☐ Microfiche Computer Program (Appendix).
- □ Nucleotide and/or Amino Acid Sequence, including (all are necessary): Computer Readable Copy, Paper Copy (identical to computer copy), and Statement verifying identity of copies.
- ☐ An <u>Executed</u> Declaration, Power of Attorney and Petition Form.
- □ Copy of Executed Declaration, Power of Attorney and Petition Form from prior application identified above.
- ☐ Certified Copy of priority document(s) identified as attached above.

ADDITIONAL PAPERS

Assignment to, Recordation Cover Sheet (Form PTO-1595)
Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i)
Preliminary Amendment (to be entered prior to calculation of fees)
Information Disclosure Statement, sheet(s) Form PTO-1449, U.S. Patent Reference(s), Foreign Patent Reference(s) and Other Reference(s)
Other:

CHECKS

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- △ A Check of \$613.00 for the filing fee.
- □ A Check of __ for the assignment recording fee.

DEPOSIT ACCOUNT AUTHORIZATION

- □ Please charge Deposit Account No. <u>23-3000</u> in the amount of __.
- ☐ The Commissioner is authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-3000. A duplicate of this transmittal is attached.
- ☐ THE PAYMENT OF FEES IS BEING DEFERRED.

WOOD, HERRON & EVANS, L.L.P. 2700 Carew Tower 441 Vine St. Cincinnati, Ohio 45202 (513) 241-2324

KGR/msh

Respectfully Submitted,

Kevin G. Roóney Reg. No. 36,330